

United States v. American Eel Depot, et al.,
22-cr-165-JMV

Att. **C** to Gov't Opp. to Mot. to Dism.

DEPARTMENT OF THE INTERIOR U.S. FISH AND WILDLIFE SERVICE OFFICE OF LAW ENFORCEMENT		REPORT OF INVESTIGATION REPORT#: 2015501394R015 APPROVED	
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CASE TITLE AMERICAN EEL DEPOT <i>SENSITIVE CASE</i>	REPORT DATE 01/24/2018		CASE NUMBER 2015501394
	REPORTING OFFICER Amy Snyder -		CASE STATUS PENDING
	APPROVED BY Preston Fant, - 05/07/2018 Jeffrey Odom, - 07/20/2018 Amy Snyder, - 01/24/2018		
<u>SUBJECTS OF REPORT</u> YI RUI HUANG - AMERICAN EEL DEPOT CORPORATION YI RUI HUANG - CHANGLE PACIFIC FOOD CORP. FEN LIU - AMERICAN EEL DEPOT CORPORATION CHAO JIN SHI - OCEAN GREAT LLC. GUO TUAN ZHOU SR. - AMERICAN EEL DEPOT CANADA CORP.			

SYNOPSIS

This report documents the inspection, sampling, and seizure of six (6) ocean containers of illegally imported eel meat, imported by AMERICAN EEL DEPOT (AED) into the Elizabeth, NJ seaport during June and July of 2017.

DISTRIBUTION

Internal List

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DETAILS OF INVESTIGATION

Seizure Preparation

Over the course of this investigation, various sources of evidence have revealed that OPERATION BROKEN GLASS subject, Yi Rui HUANG, AKA Ricky HUANG, and his companies, AED, AMERICAN EEL DEPOT CANADA (AEDC), CHANGLE PACIFIC FOOD CO., (CP) and CHANGLE PACIFIC FOREIGN TRADE CORP. (also referenced as CP), have conspired to smuggle Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) Appendix II European eels (*Anguilla anguilla*) into multiple countries, knowing that European eels are subject to protections and trade restrictions.

During the spring of 2017, in preparation for U.S. Fish and Wildlife Service (Service) inspections and potential seizures of AED containers, the Department of Justice hired University of Pennsylvania statistician Dr. Abraham Wyner to generate sampling plans for AED eel meat inspections. These computer-generated plans would ensure a representative and random sampling of the container by dictating the samples that would be taken from each pallet and box. Once a container was imported, it would be transferred to the U.S. Customs and Border Protection (CBP) centralized examination station at East Coast Warehouse (ECW) in Elizabeth, NJ. ECW staff would unload the container for inspection and randomly stack the boxes of eel meat onto pallets. Service Special Agents (SA) and Wildlife Inspectors (WI) would then arrive at ECW and provide Dr. Wyner with data such as the pallet formations and quantity of boxes. From this, Dr. Wyner would create a random, computer-generated sampling plan for the inspection team to follow.

In June and July 2017, a total of six (6) 40-foot ocean containers of eel meat were imported by AED and detained by CBP for inspection by the Service.

It should be noted that three of these containers, referred to as Container #s 1-3, were imported and inspected before a June 27, 2017 Service search warrant at AED's Totowa, NJ headquarters, and three containers, Container #s 4-6, were imported and inspected after this warrant. On the date of this warrant, Service representatives informed AED employees that AED was under investigation for trafficking in European eels. (*SA's note: Prior to this date, AED only knew of the investigation into their American elver [Anguilla rostrata] trafficking.*)

Consequently, Container #s 4, 5, and 6, imported on July 5, 2017, July 5, 2017, and July 25, 2017 respectively, have limited supplemental documents and information available, because AED ceased filing formal Customs entries with CBP for these containers, despite CBP import laws requiring entries to be filed for merchandise valued over \$2,000.00. Additionally, AED and CP then made numerous attempts through their freight forwarding company, steamship line, and

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defense counsel, to reroute Container #s 4, 5, and 6 from the United States while these containers were under Government examination holds. AED and CP's efforts to dispose of Container #s 4-6 is documented in the supplemental report, R018.

In October of 2017, all six AED containers imported, held, inspected, and sampled at the Elizabeth, NJ seaport during the summer and fall of 2017, were seized by the Service. Each of these containers included high volumes of European eel meat. None of these importations were declared to the Service, and no CITES permits exist for these shipments.

The following is a synopsis of each container:

AED Containers Inspected and Seized at the Elizabeth, NJ Seaport

- **Container #1**
June 1, 2017 Importation, Container #YMLU5350828

Date of Dispatch from China:	4/27/17
Date of Import into U.S.:	6/1/17
Place of Import:	Elizabeth, NJ seaport
Container #:	YMLU5350828
Importer Name and Address:	AMERICAN EEL DEPOT, 405 Minnisink Road, Totowa, NJ 07512
Exporter/Seller and Address:	CHANGLE FOREIGN TRADE CORPORATION 57 Zisheng Road, Changle City, Fujian, China
Manufacturer/Container Loading Location:	CHANGLE PACIFIC FOOD CO., LTD Leye Road Kong Gang Industrial Zone, Changle City, Fuzhou China
Broker:	Unipac Shipping, 182-16 147th Avenue, 2nd Floor, Jamaica, NY 11413
Freight Forwarder:	EZ Logistics, 120 Sylvan Ave # 3, Englewood Cliffs, NJ 07632

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Shipping Line:	Yang Ming, 13131 Dairy Ashford Road, Suite # 300, Sugar Land, TX 77478
Manifested with CBP as:	“FROZEN BROILED EEL” HS Code: 1604.17.1000 (Eels in Airtight Containers)
Species Provided on Import Documents:	“Anguilla Rostrata”, referenced a total of five times on three documents “Anguilla Roastrata” [<i>sic</i>], referenced a total of one time on one document
Declared Value:	\$28,000.00
Weight in Kilograms:	21,000 or 23,000
Number of Boxes:	2,000 on import documents. 2,000 boxes confirmed during Service inspection as well as at Preferred Freezer Service (PFS) unloading.
Import Documents Provided:	See attachment 1; 6/1/17 Import Documents From CBP See attachment 2; Email and Supplementary Import Documents from Julie KO Emailed June 13, 2017 from KO, jooyouunko@gmail.com
CBP Detention Notices and Responses:	See attachments 3 and 4; CBP Detention Notices and IKKO INT’L TRADING LLC (IKKO) Response
Date and Place of Inspection:	6/7/17 at ECW located at 1140 Polaris St, Elizabeth, NJ 07201
Service Personnel Present:	SA Snyder, SA LeeAnn Bies, Resident Agent in Charge (RAC) Preston Fant, Supervisory Wildlife Inspector (SWI) Michal Fusco, WI Frances Rodriguez, WI Kathleen Bushman, WI Daniel Sahakian

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Identified Brands and Labeling:	Fish Bay- Ingredients: "Eel, [other ingredients]" Special Eel- Ingredients: "Eel, [other ingredients]" The boxes of both brands of eel meat stated that they were imported by IKKO at 32-34 Papetti Plaza, Elizabeth, NJ, 07206, and distributed by TRUE WORLD FOODS (TRUE WORLD).
Identified Manufacturing Lot Numbers:	161227013500M0697046 161226013500M0697045 161225013500M0697044
Photographs/Video Taken:	307 photos & 5 videos of pallets, fillets, boxes, & lot numbers. See SD card labeled "NJ AED Container Inspections"; photos labeled "IMG_5714.JPG" through "IMG_6025.JPG"
Number of Samples Taken:	90
Samples Seizure Tag #:	881613
Sampling Plan:	See attachment 5; Wyner's Sampling Plan for 6/1/17 Import
Date Samples Sent to National Fish and Wildlife Forensics Laboratory (NFWFL) for Species ID:	6/14/17. See attachment 6; NFWFL Evidence Submittal Forms
NFWFL Genetics Report:	Dated 9/7/17, See attachment 7; NFWFL Genetics Report
Species Identified in NFWFL Genetics Report:	79 European eel fillets (88%), 11 American eel fillets (12%)

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- **Container #2**
June 6, 2017 Importation, Container #SZLU9862858

Date of Dispatch from China:	4/27/17 or 4/28/17
Date of Import into U.S.:	6/6/17
Place of Import:	Elizabeth, NJ seaport
Container #:	SZLU9862858
Importer Name and Address:	AMERICAN EEL DEPOT, 405 Minnisink Road, Totowa, NJ 07512

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Exporter/Seller and Address:	CHANGLE FOREIGN TRADE CORPORATION 57 Zisheng Road, Changle City, Fujian, China
Manufacturer/Container Loading Location:	CHANGLE PACIFIC FOOD CO., LTD Leye Road Kong Gang Industrial Zone, Changle City, Fuzhou China
Broker:	Unipac Shipping, 182-16 147th Avenue, 2nd Floor, Jamaica, NY 11413
Freight Forwarder:	EZ Logistics, 120 Sylvan Avenue, # 3, Englewood Cliffs, NJ 07632
Shipping Line:	Yang Ming, 13131 Dairy Ashford Road, Suite # 300, Sugar Land, TX 77478
Manifested with CBP as:	"FROZEN ROASTED EEL" HS Code: 1604.17.1000 (Eels in Airtight Containers)
Species Provided on Import Documents:	"Anguilla Rostrata", referenced a total of eight times on four documents "Anguilla Roastrata" [sic], referenced a total of one time on one document
Declared Value:	\$294,000.00
Weight in Kilograms:	21,000
Number of Boxes:	2,100 on import documents. 2,100 boxes confirmed during Service inspection as well as PFS unloading.
Import Documents Provided:	See attachment 10; 6/6/17 Import Documents From CBP See attachment 11; Email and Supplementary Import Documents from KO

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	Emailed June 13, 2017 by Julie KO at jooyoungo@gmail.com
CBP Detention Notices and Responses:	See attachment 12; CBP Detention Notices and AED, ATZ TRADING INC, and OCEAN GREAT (OG) Responses
Date and Place of Inspection:	6/13/17 at ECW, 1140 Polaris St, Elizabeth, NJ 07201
Service Personnel Present:	SA Snyder, SA Bies, SWI Fusco, WI Rodriguez, WI Bushman, WI Sahakian
Identified Brands and Labeling:	AED- Ingredients: "EEL, [other ingredients]" OG ("Ichiban" brand)- Ingredients: "EEL, [other ingredients]" Sea brand (blue boxes with blue stripe)- Ingredients: "EEL, [other ingredients]" Gold brand (blue boxes with green stripe)- Ingredients: "EEL, [other ingredients]"
Identified Manufacturing Lot Numbers:	161228013500M0697047 161229013500M0697048 161230013500M0697049
Photographs/Video Taken:	251 photos & 1 video of pallets, fillets, boxes, & lot numbers. See SD card labeled "NJ AED Container Inspections"; photos labeled "IMG_6026.JPG" through "IMG_6276.JPG"
Number of Samples Taken:	90
Samples Seizure Tag #:	029604
Sampling Plan:	See attachment 13; Wyner's Sampling Plan for 6/6/17 Import

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- **Container #3**
June 13, 2017 Importation, Container #YMLU5333970

Date of Dispatch from China:	5/8/17 or 5/11/17
Date of Import into U.S.:	6/13/17
Place of Import:	Elizabeth, NJ seaport
Container #:	YMLU5333970
Importer Name and Address:	AMERICAN EEL DEPOT, 405 Minnisink Road, Totowa, NJ 07512
Exporter/Seller and Address:	CHANGLE FOREIGN TRADE CORPORATION 57 Zisheng Road, Changle City, Fujian, China
Manufacturer/Container Loading Location:	CHANGLE PACIFIC FOOD CO., LTD Leye Road Kong Gang Industrial Zone, Changle City, Fuzhou China

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REPORT OF INVESTIGATION**Title: AMERICAN EEL DEPOT****INV #: 2015501394****Report #: R015**

Broker:	Unipac Shipping, 182-16 147th Avenue, 2nd Floor, Jamaica, NY 11413
Freight Forwarder:	EZ Logistics, 120 Sylvan Avenue, # 3, Englewood Cliffs, NJ 07632
Shipping Line:	Yang Ming, 13131 Dairy Ashford Road, Suite # 300, Sugar Land, TX 77478
Manifested with CBP as:	"FROZEN ROASTED EEL" HS Code: 1604.17.1000 (Eels in Airtight Containers)
Species Provided on Import Documents:	"Anguilla rostrata" referenced a total of two times on two documents "Anguilla Rostrata", referenced a total of five times on two documents
Declared Value:	\$294,000.00
Weight in Kilograms:	21,000
Number of Boxes:	2,100 on import documents. 2,100 boxes confirmed during Service inspection as well as PFS unloading.
Import Documents Provided:	See attachment 17; 6/13/17 Import Documents From CBP
CBP Detention Notices and Responses:	See attachments 18 and 19; CBP Detention Notices and AED and OG Responses
Date and Place of Inspection:	6/16/17 at ECW, 1140 Polaris St, Elizabeth, NJ 07201
Service Personnel Present:	SA Snyder, SA Bies, SWI Fusco, WI Rodriguez, WI Bushman, WI Sahakian
Identified Brands:	AED- Ingredients: "EEL, [other ingredients]" OG ("Ichiban" brand)- Ingredients: "EEL, [other ingredients]"

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Identified Manufacturing Lot Numbers:	161230013500M0697049 170306023500M0586025 170305023500M.0586023 170306013500M0586024
Photographs/Video Taken:	217 photos of pallets, fillets, boxes, & lot numbers. See SD card labeled "NJ AED Container Inspections"; photos labeled "IMG_6277.JPG" through "IMG_6493.JPG"
Number of Samples Taken:	90
Samples Seizure Tag #:	834579
Sampling Plan:	See attachment 20; Wyner's Sampling Plan for 6/13/17 Import
Date Samples Sent to NFWFL for Species ID:	6/19/17. See attachment 21; NFWFL Evidence Submittal Form
NFWFL Genetics Report:	Dated 9/7/17, See attachment 22; NFWFL Genetics Report
Species Identified in NFWFL Genetics Report:	73 European eel fillets (81%) 16 American eel fillets (18%) 1 Japanese eel (<i>Anguilla japonica</i>) fillet (1%)
Seizure:	Entirety of container, approximately 2,100 boxes of eel meat, was seized by the Service on 10/3/17 (See attachment 8; Service Property Receipt to ECW). Meat was retrieved by PFS on 10/9/17 and secured in cold storage at PFS warehouse located at 150 Bayway Avenue, Elizabeth, NJ. Each pallet secured with Service evidence tape and pink warning labels (See attachment 9; Service Property Receipt to PFS).

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Container Seizure Tag #:	836883
Additional Relevant Information:	<p>In AED and OG's written responses to CBP detention notices:</p> <ul style="list-style-type: none">-HUANG is listed as President of AED-ZHOU signs his name as Vice President of AED-SHI signs his name as President of OG

Noteworthy Photographs of Eel Meat Branding from 6/16/17 Inspection:

OG brand boxes, IMG_6288.JPG:

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- **Container #4**
July 5, 2017 Importation, Container # YMLU5335736

Date of Dispatch from China:	On or about 6/5/17
Date of Import into U.S.:	7/5/17
Place of Import:	Elizabeth, NJ seaport
Container #:	YMLU5335736

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Importer Name and Address:	AMERICAN EEL DEPOT, 405 Minnisink Road, Totowa, NJ 07512
Exporter/Seller and Address:	CHANGLE FOREIGN TRADE CORPORATION 57 Zisheng Road, Changle City, Fujian, China
Manufacturer/Container Loading Location:	CHANGLE PACIFIC FOOD CO., LTD Leye Road Kong Gang Industrial Zone, Changle City, Fuzhou China
Broker:	Unipac Shipping, 182-16 147th Avenue, 2nd Floor, Jamaica, NY 11413
Freight Forwarder:	EZ Logistics, 120 Sylvan Avenue, # 3, Englewood Cliffs, NJ 07632
Shipping Line:	Yang Ming, 13131 Dairy Ashford Road, Suite # 300, Sugar Land, TX 77478
Manifested with CBP as:	"FROZEN ROASTED EEL"
Species Provided on Import Documents:	N/A
Declared Value:	N/A
Weight in Kilograms:	App. 23,000
Number of Boxes:	2,100 on original bill of lading. 2,100 boxes confirmed during Service inspection as well as PFS unloading.
Import Documents Provided:	None. This shipment was imported after a 6/27/17 search warrant at the AED headquarters. The broker filed an initial Importer Security Filing (ISF) for this shipment on 6/2/17 showing this container as a U.S. import. No formal entries were filed with CBP for this shipment.

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CBP Detention Notices and Responses:	See attachment 23; CBP Detention Notice No responses were received from the importer/interested parties.
Date and Place of Inspection:	7/18/17 at ECW, 1140 Polaris St, Elizabeth, NJ 07201
Service Personnel Present:	SA Snyder, SA Bies, RAC Fant, SWI Fusco, WI Rodriguez, WI Bushman, WI Sahakian
Identified Brands:	AED fillets- Ingredients: "EEL, [other ingredients]" OG 17.6 oz. packages of chopped eel- The exterior boxes of these packages were labeled as OG brand. The interior bags of the eel meat were not branded with company info. The ingredients were labeled as: "Eel (Anguilla Rostrata) [other ingredients]"
Identified Manufacturing Lot Numbers:	170308013500M0028001 (All OG meat, some AED fillets) 170308023500M0028001 170308023500M0028002 170309013500M0028003 170309013500M0028004 170309023500M0028004
Photographs/Video Taken:	239 photos of pallets, fillets, boxes, & lot numbers. See SD card labeled "NJ AED Container Inspections"; photos labeled "IMG_6688.JPG" through "IMG_6926.JPG"
Number of Samples Taken:	95
Samples Seizure Tag #:	881614

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Sampling Plan:	See attachment 24; Wyner's Sampling Plan for 7/5/17 Import
Date Samples Sent to NFWFL for Species ID:	7/25/17. See attachment 25; NFWFL Evidence Submittal Form
NFWFL Genetics Report:	Dated 10/10/17, See attachment 26; NFWFL Genetics Report with Amended Report and Cover Letter
Species Identified in NFWFL Genetics Report:	84 European eel fillets (88%) 11 American eel fillets (12%)
Seizure:	Entirety of container, approximately 2,100 boxes of eel meat, was seized by the Service on 10/3/17 (See attachment 8; Service Property Receipt to ECW). Meat was retrieved by PFS on 10/9/17 and secured in cold storage at PFS warehouse located at 150 Bayway Avenue, Elizabeth, NJ. Each pallet secured with Service evidence tape and yellow warning labels (See attachment 9; Service Property Receipt to PFS).
Container Seizure Tag #:	836884
Additional Relevant Information:	The majority of this container (approximately 2,038 boxes) were AED brand eel fillets. However this shipment also contained approximately 62 boxes of diced OG brand eel meat in 17.6 oz, packages, not seen in prior U.S. imports. All of these OG boxes shared the same lot number 170308013500M0028001. Some samples of AED fillets also shared this lot number. An additional five samples were taken of this new size and minced variety of eel meat, for a

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total of six (6) samples. All six of these OG samples were identified by the NFWFL as European eel.

In June and July of 2017, AED and their representatives attempted to have this container exported from the United States while this container was being held by the Government for examination. These events are documented in R018.

Noteworthy Photographs of Eel Meat from 7/18/17 Inspection:

Ingredients list of OG brand meat, IMG_6912.JPG:



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OG brand meat box, IMG_6914.JPG:



- **Container #5**
July 5, 2017 Importation, Container # YMLU5349581

Date of Dispatch from China:	On or about 6/5/17
Date of Import into U.S.:	7/5/17
Place of Import:	Elizabeth, NJ seaport
Container #:	YMLU5349581
Importer Name and Address:	AMERICAN EEL DEPOT, 405 Minnisink Road, Totowa, NJ 07512

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Exporter/Seller and Address:	CHANGLE FOREIGN TRADE CORPORATION 57 Zisheng Road, Changle City, Fujian, China
Manufacturer/Container Loading Location:	CHANGLE PACIFIC FOOD CO., LTD Leye Road Kong Gang Industrial Zone, Changle City, Fuzhou China
Broker:	Unipac Shipping, 182-16 147th Avenue, 2nd Floor, Jamaica, NY 11413
Freight Forwarder:	EZ Logistics, 120 Sylvan Avenue, # 3, Englewood Cliffs, NJ 07632
Shipping Line:	Yang Ming, 13131 Dairy Ashford Road, Suite # 300, Sugar Land, TX 77478
Manifested with CBP as:	"FROZEN ROASTED EEL"
Species Provided on Import Documents:	N/A
Declared Value:	N/A
Weight in Kilograms:	App. 23,000
Number of Boxes:	2,000 on original bill of lading. 2,000 boxes confirmed during Service inspection as well as PFS unloading.
Import Documents Provided:	None. This shipment was imported after a 6/27/17 search warrant at the AED headquarters. The broker filed an initial Importer Security Filing (ISF) for this shipment on 6/2/17 showing this container as a U.S. import. No formal entries were filed with CBP for this shipment.
CBP Detention Notices and Responses:	See attachment 27; CBP Detention Notice

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	No responses were received from the importer/interested parties.
Date and Place of Inspection:	7/20/17 at ECW, 1140 Polaris St, Elizabeth, NJ 07201
Service Personnel Present:	SA Snyder, SA Bies, SWI Fusco, WI Rodriguez, WI Bushman, WI Sahakian, Wildlife Inspector Assistant (WIA) Brittany Forslind
Identified Brands:	Fish Bay- Ingredients: "Eel, [other ingredients]" Special Eel- Ingredients: "Eel, [other ingredients]"
Identified Manufacturing Lot Numbers:	170312013500M0028009 170311023500M0028008 170309023500M0028004 170312023500M0028010
Photographs/Video Taken:	226 photos and 1 video of pallets, fillets, boxes, & lot numbers. See SD card labeled "NJ AED Container Inspections"; photos labeled "IMG_6933.JPG" through "IMG_7159.JPG"
Number of Samples Taken:	90
Samples Seizure Tag #:	029605
Sampling Plan:	See attachment 28; Wyner's Sampling Plan for 7/5/17 Import
Date Samples Sent to NFWFL for Species ID:	7/25/17. See attachment 29; NFWFL Evidence Submittal Form
NFWFL Genetics Report:	Dated 10/10/17, See attachment 30; NFWFL Genetics Report with Amended Report and Cover Letter

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Species Identified in NFWFL	79 European eel fillets (88%)
Genetics Report:	10 American eel fillets (11%) 1 Undetermined (1%)
Seizure:	Entirety of container, approximately 2,000 boxes of eel meat, was seized by the Service on 10/3/17 (See attachment 8; Service Property Receipt to ECW). Meat was retrieved by PFS on 10/9/17 and secured in cold storage at PFS warehouse located at 150 Bayway Avenue, Elizabeth, NJ. Each pallet secured with Service evidence tape and brown warning labels (See attachment 9; Service Property Receipt to PFS).
Container Seizure Tag #:	836885
Additional Relevant Information:	In June and July of 2017, AED and their representatives attempted to have this container exported from the United States while this container was being held by the Government for examination. These events are documented in R018.

- **Container #6**
July 25, 2017 and September 26, 2017 Importations, Container # YMLU5384216

Date of Dispatch from China:	On or about 6/22/17
Date of Import into U.S.:	7/25/17
Date of Export from U.S.	8/3/17
Date of Re-Import into U.S.:	9/26/17
Place of both Imports:	Elizabeth, NJ seaport

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REPORT OF INVESTIGATION
Title: AMERICAN EEL DEPOT

INV #: 2015501394
Report #: R015

Container #:	YMLU5384216
Importer Name and Address:	AMERICAN EEL DEPOT, 405 Minnisink Road, Totowa, NJ 07512
Exporter Name and Address:	CHANGLE FOREIGN TRADE CORPORATION, 57 Zisheng Road, Changle City, Fujian, China
Manufacturer/Container Loading Location:	CHANGLE PACIFIC FOOD CO., LTD Leye Road Kong Gang Industrial Zone, Changle City, Fuzhou China
Broker:	Unipac Shipping, 182-16 147th Avenue, 2nd Floor, Jamaica, NY 11413
Freight Forwarder:	EZ Logistics, 120 Sylvan Ave # 3, Englewood Cliffs, NJ 07632
Shipping Line:	Yang Ming, 13131 Dairy Ashford Road, Suite # 300, Sugar Land, TX 77478
Manifested with CBP as:	"FROZEN ROASTED EEL"
Species Provided on Import Documents:	N/A
Declared Value:	N/A
Weight in Kilograms:	App. 24,150
Number of Boxes:	2,100 on original bill of lading. 2,100 boxes confirmed during Service inspection as well as PFS unloading.
Import Documents Provided:	None. This shipment was imported after a 6/27/17 search warrant at the AED headquarters. The broker filed an initial Importer Security Filing (ISF) for this shipment on 6/23/17

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	showing this container as a U.S. import. No formal entries were filed with CBP for this shipment.
CBP Detention Notices and Responses:	See attachment 31; CBP Detention Notice No responses were received from the importer/interested parties.
Date and Place of Inspection:	10/4/17 at ECW located at 1140 Polaris St, Elizabeth, NJ 07201
Service Personnel Present:	SA Snyder, SA Bies, WI Bushman, WI Sahakian, WIA Forslind
Identified Brands:	AED- Ingredients: "EEL, [other ingredients]" OG (regular "Ichiban" fillets, no diced meat observed in this shipment)- Ingredients: "EEL, [other ingredients]"
Identified Manufacturing Lot Numbers:	170330013500M0697002 170331013500M0697002 170331013500M0697003 170401013500M0697004
Photographs/Video Taken:	243 photos of pallets, fillets, boxes, & lot numbers. See SD card labeled "NJ AED Container Inspections"; photos labeled "IMG_7555.JPG" through "IMG_7797.JPG"
Number of Samples Taken:	90
Samples Seizure Tag #:	028315
Sampling Plan:	See attachment 32; Wyner's Sampling Plan for 7/25/17 Import
Date Samples Sent to NFWFL for Species ID:	10/4/17. See attachment 33; NFWFL Evidence Submittal Form
NFWFL Genetics Report:	Dated 10/24/17, See attachment 34; NFWFL Genetics Report

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Title: AMERICAN EEL DEPOT

INV #: 2015501394
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Species Identified in NFWFL	71 European eel fillets (79%)
Genetics Report:	19 American eel fillets (21%)
Seizure:	Entirety of container, approximately 2,100 boxes of eel meat, was seized by the Service on 10/25/17 (See attachment 35; Service Property Receipt to ECW). Meat was retrieved by PFS on 10/27/17 and secured in cold storage at PFS warehouse located at 150 Bayway Avenue, Elizabeth, NJ. Each pallet secured with Service evidence tape and purple warning labels (See attachment 36; Service Property Receipt to PFS).
Container Seizure Tag #:	836886
Additional Relevant Information:	In July 2017, AED and their representatives unlawfully exported this container from the United States while this container was being held for Government examination. In October of 2017, grand jury subpoenas were issued to several parties in an effort to garner more information about the illegal export of this container. The details of this unlawful export are documented in R018.

Seizure of Containers

On October 3, 2017, SA Snyder seized all eel meat, approximately ten-thousand and three hundred (10,300) boxes, imported under the following ocean containers (See attachment 8: Service Property Receipt to ECW):

1. YMLU5350828, Imported 6/1/2017 into Elizabeth, NJ, App. 2,000 boxes, Seizure Tag #: 836881
2. SZLU9862858, Imported 6/6/2017 into Elizabeth, NJ, App. 2,100 boxes, Seizure Tag #: 836882
3. YMLU5333970, Imported 6/13/2017 into Elizabeth, NJ, App. 2,100 boxes, Seizure Tag #: 836883

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4. YMLU5335736, Imported 7/5/2017 into Elizabeth, NJ, App. 2,100 boxes, Seizure Tag #: 836884
5. YMLU5349581, Imported 7/5/2017 into Elizabeth, NJ, App. 2,000 boxes, Seizure Tag #: 836885

On October 25, 2017, SA Snyder seized all eel meat, approximately two thousand and one hundred (2,100) boxes, imported under the following ocean container (See attachment 35; Service Property Receipt to ECW for Container 6):

1. YMLU5384216, Imported 7/25/2017 into Elizabeth, NJ, Seizure Tag #: 836886

DESCRIPTION OF SUBJECTS

The following new subjects have been identified:

PRIOR VIOLATIONS

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or received from a foreign country; and was intended to be transported in interstate or foreign commerce, in violation of Title 16 U.S. Code § 3372, the Lacey Act. (Class D felony; the greater of a \$500,000 fine or twice the illegal gain or loss, or imprisonment for not more than 5 years, or both.)

EVIDENCE

Container #1:

1. Ninety (90) packages of eel fillets, 79 *Anguilla anguilla*, 11 *Anguilla rostrata*, assigned Seizure Tag #881613, Items #1-90, secured at the NFWFL in Ashland, OR.
2. Two thousand (2,000) boxes of frozen eel meat fillets, assigned Seizure Tag #836881, secured at PFS in Elizabeth, NJ.

Container #2:

3. Ninety (90) packages of eel fillets, 90 *Anguilla anguilla*, assigned Seizure Tag #029604, Items #1-90, secured at the NFWFL in Ashland, OR.
4. Two thousand one hundred (2,100) boxes of frozen eel meat fillets, assigned Seizure Tag #836882, secured at PFS in Elizabeth, NJ.

Container #3:

5. Ninety (90) packages of eel fillets, 73 *Anguilla anguilla*, 16 *Anguilla rostrata*, 1 *Anguilla japonica*, assigned Seizure Tag #834579, Items #1-90, secured at the NFWFL in Ashland, OR.
6. Two thousand one hundred (2,100) boxes of frozen eel meat fillets, assigned Seizure Tag #836883, secured at PFS in Elizabeth, NJ.

Container #4:

7. Ninety-five (95) packages of eel fillets, 84 *Anguilla anguilla*, 11 *Anguilla rostrata*, assigned Seizure Tag #881614, Items #1-95, secured at the NFWFL in Ashland, OR.
8. Two thousand one hundred (2,100) boxes of frozen eel meat fillets, assigned Seizure Tag #836884, secured at PFS in Elizabeth, NJ.

Container #5:

9. Ninety (90) packages of eel fillets, 79 *Anguilla anguilla*, 10 *Anguilla rostrata*, 1 undetermined, assigned Seizure Tag #029605, Items #1-90, secured at the NFWFL in Ashland, OR.

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10. Two thousand (2,000) boxes of frozen eel meat fillets, assigned Seizure Tag #836885, secured at PFS in Elizabeth, NJ.

Container #6:

11. Ninety (90) packages of eel fillets, 71 *Anguilla anguilla*, 19 *Anguilla rostrata*, assigned Seizure Tag #028315, Items #1-90, secured at the NFWFL in Ashland, OR.
12. Two thousand one hundred (2,100) boxes of frozen eel meat fillets, assigned Seizure Tag #836886, secured at PFS in Elizabeth, NJ.

Audio Recordings/Video Recordings/Photographs Created by Law Enforcement:

Photographs

1. Approximately fourteen hundred and eighty three (1,483) digital photographs of six AED container inspections, secured on an SD card and labeled "NJ AED Container Inspections". Secured at the Office of Law Enforcement in Elizabeth, NJ.

Videos

1. Approximately seven (7) digital videos of six AED container inspections, secured on the SD card labeled "NJ AED Container Inspections". Secured at the Office of Law Enforcement in Elizabeth, NJ.

ATTACHMENTS

1. Copy of CBP Import Documents (9 pages).
2. Copy of Email and Supplementary Import Documents from KO, dated 6/13/17 (10 pages).
3. Copy of CBP Detention Notices (2 pages).
4. Copy of IKKO INTERNATIONAL TRADING LLC response, dated 6/14/17 (1 page).
5. Copy of Wyner's Sampling Plan for 6/1/17 Import (3 pages).
6. Copy of NFWFL Evidence Submittal Forms, dated 6/14/17 (2 pages).
7. Copy of NFWFL Genetics Report, dated 9/7/17 (5 pages).
8. Copy of Service Property Receipt to ECW, dated 10/3/17 (1 page).
9. Copy of Service Property Receipt to PFS, dated 10/18/17 (1 page).
10. Copy of Import Documents from CBP (9 pages).
11. Copy of Email and Supplementary Import Documents from KO, dated 6/13/17 (11 pages).

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12. Copy of CBP Detention Notices and Responses from AED, ATZ TRADING INC., and OG (5 pages).
13. Copy of Wyner's Sampling Plan for 6/6/17 Import (3 pages).
14. Copy of NFWFL Evidence Submittal Form, dated 6/14/17 (1 page).
15. Copy of NFWFL Genetics Report, dated 9/7/17 (5 pages).
16. Screen shot of AED Eel Meat on ATZ Website (1 page).
17. Copy of CBP Import Documents (16 pages).
18. Copy of CBP Detention Notices (2 pages).
19. Copy of AED and OG Responses (5 pages).
20. Copy of Wyner's Sampling Plan for 6/13/17 Import (3 pages).
21. Copy of NFWFL Evidence Submittal Form, dated 6/12/17 (1 page).
22. Copy of NFWFL Genetics Report, dated 9/7/17 (7 pages).
23. Copy of CBP Detention Notice, dated 7/27/17 (1 page).
24. Copy of Wyner's Sampling Plan for 7/5/17 Import (3 pages).
25. Copy of NFWFL Evidence Submittal Form, dated 7/24/17 (2 pages).
26. Copy of NFWFL Genetics Report with Amended Report and Cover Letter (15 pages).
27. Copy of CBP Detention Notice, dated 7/27/17 (1 page).
28. Copy of Wyner's Sampling Plan for 7/5/17 Import (3 pages).
29. Copy of NFWFL Evidence Submittal Form, dated 7/21/17 (1 page).
30. Copy of NFWFL Genetics Report with Amended Report and Cover Letter (15 pages).
31. Copy of CBP Detention Notice (1 page).
32. Copy of Wyner's Sampling Plan for 7/25/17 Import (3 pages).
33. Copy of NFWFL Evidence Submittal Form, dated 10/4/17 (1 page).
34. Copy of NFWFL Genetics Report, dated 10/24/17 (6 pages).
35. Copy of Service Property Receipt to ECW for Container #6, dated 10/25/17 (1 page).
36. Copy of Service Property Receipt to PFS for Container #6, dated 10/25/17 (1 page).